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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/729,937	12/09/2003	Yoshikazu Shibamiya	00862.023364	2394

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EXAMINER

LIN, JASON K

ART UNIT	PAPER NUMBER
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2623

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09/17/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<p align="center"><b>Office Action Summary</b></p>	<p><b>Application No.</b> 10/729,937</p>	<p><b>Applicant(s)</b> SHIBAMIYA ET AL.</p>	
	<p><b>Examiner</b> Jason K. Lin</p>	<p><b>Art Unit</b> 2623</p>	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 December 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/09/2003, 03/03/2004</u> .                                  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. This office action is responsive to application No. 10/729,937 filed on 12/09/2003.

**Claims 1-18** are pending and have been examined.

#### *Information Disclosure Statement*

2. The information disclosure statement (IDS) filed on 12/09/2003 and 03/03/2004 are considered.

#### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1-3, 10-14, 17, and 18** are rejected under 35 U.S.C. 102(e) as being anticipated by Johnson (US 2004/0093616).

Consider **claims 1 and 12**, Johnson teaches a program information display control apparatus and respective method for controlling display means that displays an electronic program guide (Fig.3; Paragraph 0028), comprising:  
information acquisition means for acquiring program information associated with each of programs to be displayed on the electronic program guide (Paragraph 0032 teaches receiving program guide data information. Paragraph 0028, 0038 teaches retrieving and formatting EPG data for display);

display control means for controlling the display means to display the acquired program information (Paragraph 0028, 0038 teaches an apparatus that controls the processing for display of EPG data); and

search means for searching for a program according to a predetermined condition (Fig.7; Paragraph 0076-0078),

wherein said display control means has a first mode for displaying the program information associated with the program in the form of the electronic program guide (Fig.6; Paragraph 0074), and a second mode for displaying the program information associated with the program found by said search means by increasing a program information volume to be larger than a program information volume displayed in the first mode (Fig.8; Paragraph 0079; *First line of description in 28 – Fig.8 displays additional information*).

Consider **claim 10**, Johnson teaches a remote control device for remote-controlling a display apparatus which displays an electronic program guide (1125 - Fig.3; Paragraph 0028-0029), comprising:

first designation means for designating to simultaneously display detailed program information of a plurality of programs, which meet a predetermined condition, of programs included in the electronic program guide displayed on the display apparatus (Fig.8; Paragraph 0079).

Consider **claims 2 and 13**, Johnson teaches said display control means displays the program information at a program information display position of the found program on the electronic program guide in the second mode (Fig.8; Paragraph 0079; *First line of description in 28 – Fig.8 displays additional information which is located at the same display position of the found program*).

Consider **claims 3 and 14**, Johnson teaches when said search means finds a plurality of programs, said display control means simultaneously displays a plurality of pieces of program information associated with the plurality of found programs (Fig.8; Paragraph 0079; *First line of description in 28 – Fig.8 displays additional information which is located at the same display position of the found program. This can be seen in all of the multiple programs that are found that meet the search criteria*).

Consider **claim 11**, Johnson teaches second designation means for designating the predetermined condition (Fig.7; Paragraph 0076-0078), and wherein said first designation means simultaneously displays detailed program information of a program which matches the predetermined condition designated by said second designation means (Fig.8; Paragraph 0079; *First line of description in 28 – Fig.8 displays additional information*).

Consider **claim 17**, Johnson teaches a computer readable storage medium that records a program for making a computer execute the processing steps of a program information display control method of claim 12 (Paragraph 0038 teaches an EPG software routine residing in EEPROM 1127 – Fig.3, that is executed by CPU 1112 – Fig.3 to generate an EPG for output. Paragraph 0064 teaches control software residing in ROM 308 – Fig.5 that is used for processing user commands to generate OSD information shown in Figs.6-8).

Consider **claim 18**, Johnson teaches a computer execute the processing steps of a program information display control method of claim 12 (Paragraph 0038 teaches CPU 1112 executing the EPG software routine residing in EEPROM 1127 – Fig.3. Paragraph 0064 teaches an ARM processor 315 – Fig.5 that executes control software residing in ROM 308 – Fig.5 that is used for processing user commands to generate OSD information shown in Figs.6-8).

5. **Claims 1, 4-9, 12, 15, and 16** are rejected under 35 U.S.C. 102(e) as being anticipated by Maze et al. (US 2005/0235320).

Consider **claims 1 and 12**, Maze teaches a program information display control apparatus and respective method for controlling display means that displays an electronic program guide (Fig.4; Fig.1-3), comprising:

information acquisition means for acquiring program information associated with each of programs to be displayed on the electronic program

guide (Paragraph 0020-0022 teaches receiving data information describing the broadcast programs. Paragraph 0014, 0020 teaches retrieving the channel guide data to present the user with a program guide; Figs.1a-c);

display control means for controlling the display means to display the acquired program information (Paragraph 0020, 0025 teaches generating onscreen display signals to form the program guide for display); and

search means for searching for a program according to a predetermined condition (Fig.2; Paragraph 0017),

wherein said display control means has a first mode for displaying the program information associated with the program in the form of the electronic program guide (Fig.1a; Paragraph 0014), and a second mode for displaying the program information associated with the program found by said search means by increasing a program information volume to be larger than a program information volume displayed in the first mode (320 - Fig.3; Paragraph 0018-0019).

Consider **claims 4 and 15**, Maze teaches designation means for designating program information of each program displayed on the electronic program guide (450R – Fig.4; Paragraph 0014, 0017-0019); and

designation control means for allowing to designate program information of each program in the first mode (450R – Fig.4; Paragraph 0014, 0020), and allowing to designate only program information of the found program in the second mode (320 – Fig.3; Paragraph 0017-0019).

Consider **claims 5 and 16**, Maze teaches the program information is program information of a program which is broadcasted via a wireless or wired communication (Paragraph 0020, 0024 teaches program information of a program which is broadcasted via a wireless communication).

Consider **claim 6**, Maze teaches said display control means displays the program information of the found program within a display range based on channel information and time band information of the electronic program guide, which is displayed by the display means (Fig.3; Paragraph 0017).

Consider **claim 7**, Maze teaches the program found by said search means is a program (Paragraph 0017), text information of which is not displayed in the first mode (320 – Fig.3; Paragraph 0018-0019).

Consider **claim 8**, Maze teaches the predetermined condition includes at least one of a brief program, a broadcast duration of which is within 5 minutes, a program of a designated genre, a program which is to be broadcasted in a designated time band, and a program which includes a keyword in program information thereof (Paragraph 0017 teaches a predetermined condition that includes a program program which includes a keyword in program information thereof).



Consider **claim 9**, Maze teaches said display control means displays program information to be increased in the second mode as a popup at a corresponding position on the electronic program guide in the first mode (320 - Fig.3; Paragraph 0018-0019).

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason K. Lin whose telephone number is (571)270-1446. The examiner can normally be reached on Mon-Fri, 9:00AM-6:00PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on (571)272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jason Lin

09/05/2007

  
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